

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

MOTION TO DISMISS SUPERSEDED INDICTMENT  
AS TO DEFENDANT OSCAR RODRIGUEZ

AND NOW comes the United States of America, by its attorneys, Mary Beth Buchanan, United States Attorney for the Western District of Pennsylvania, and Troy Rivetti, Assistant United States Attorney for said district, and respectfully moves this Honorable Court for an order dismissing the superseding indictment in the above-captioned case, and in support of this motion avers as follows:

On April 5, 2000, a superseding indictment was returned by the grand jury in the above case charging defendants Oscar Rodriguez, Lamar Montre Bell and Omar Rashek McCray, with conspiracy to distribute and to possess with the intent to distribute in excess of 5 kilograms of cocaine, a Schedule II controlled substance, from November 1997 to February 2000, in violation of Title 21, United States Code, Section 846.

Defendants Bell and McCray were convicted of the aforementioned charge.

Defendant Oscar Rodriguez was never apprehended and has remained a fugitive.

The reason for dismissal of the superseding indictment as to defendant Oscar Rodriguez is that it is in the interests of justice.

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MARY BETH BUCHANAN  
United States Attorney  
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s/Troy Rivetti  
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